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protection of property was generally by supernatural means through a spell or by making the property *tapu* in one way or another, such as by giving it a sacred name.

PROPERTY

Ownership by the chief

In approaching the discussion of ownership of land, it will be necessary to reconsider for a moment the relationship of the chief to his people. The tribe was like the family of the chief: they were all relatives by birth, adoption, marriage or friendly alliance. This simile is not my own but comes from native informants. Natives also speak of all land as being owned in the ancient times by the chief. It seems, therefore, that one is justified in carrying the simile further and in saying that the land on which the tribe lived was owned by the chief in the same way that with us family property is legally owned by the head of the family. This was evidently the original conception. It would be the conception that would logically grow out of the native cosmogony, according to which land and people and chief were growths of one and the same stock. But evidence goes to show that in the later phase of the history of the Marquesas certainly much of the tribal land, and probably most of it, had come to be regarded as the private property of the chief of the tribe. But a definite, lingering conception of the land's belonging to the tribe is evidenced by the fact that if one asks today to whom belonged such and such a tract of land or valley, the reply is usually the name of the tribe that lived on it and not the name of an individual. Melville's description of his impressions of conditions in Tai-pi suggests that land ownership there was more or less communistic.

Discussion of this matter in Ua Pou, Nuku Hiva, and Hiva Oa showed, however, that there was what may be characterized as a rudimentary feudal system, under which the chief allotted sections of land to individuals or families and received in return a part of the produce and service in war and industry. Such allotments were proportional to the importance of the individual family in the tribal group. The chief could take back allotments, but customarily, the right to tenant them descended to the first-born whether son or daughter. The whole arrangement was not regular. A landed proprietor was called *anati'a* (cf. Tahitian *raatira*, Maori *rangatira*). Frequently land rights were acquired not by allotment from the chief but by a family's settling itself where it could do so without encroaching on the land of anyone else or by an individual's planting taro, breadfruit, or coconut where there was an unoccupied spot favorable for the culture. A family when once established on a piece of land had the

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423 622 [422] primary right to it, not because it was regarded as owning the land itself, but by reason of prior occupation and use. The individual owned his house, his plantations of taro and paper mulberry, his breadfruit, coconut and banana trees, and the pigs and chickens that ran about his house. Land which no one had occupied or used was free.

Stewart's account of the information he received on Nuku Hiva would indicate a more formal institution of private ownership than I was led to believe existed. He says (26, p. 253):

> All the land, with the growth upon it, is hereditarily possessed by the higher orders, civil and religious, the chiefs, warriors, prophets, priests, and their assistants, the boundaries of the respective domains of each being accurately defined and well known.

The account of several incidents that occurred in the valley of Atu Ona on Hiva Oa, given to me by Mr. Linton, furnishes some of the best evidence I have of the absolute ownership of property by chiefs and the ability on the part of a chief to do with land what pleased him:

> A chief named Punitoa owned the foot of Atu Ona valley and the *tohua* [feast place] of Pekia. It was necessary for the up-valley people to ask his permission when they wanted to fish. Two pregnant women who lived at the head of the valley asked their husbands to get a certain kind of small fish for them. One of the husbands went down to the sea by way of Caledonia point, avoiding the village and not asking the chief's permission. The other went to the chief's house and, it being the middle of the night, awakened him to ask permission to fish, explaining the circumstances. The chief was so pleased at the courtesy that he said: "Bring your wife here and I will give the child all my land." Pekia thus became the property of the child.
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> Pekia at one time belonged to a chief named Puatautau. The chief was an old man, and his two sons neglected him. They would go fishing and not bring him anything when they got back, giving it all to the young women. There was a poor man in the valley who used to bring the chief food regularly, giving him the best he had. At last one day, the chief said to him: "Tomorrow morning early dress in your best clothes and come to Puatahi." (Apparently the name of the *paepae* of the chief's house, connected with the *tohua.*) The commoner did as he was told and came at dawn. The chief had climbed to Pou Au, and from there he called to the commoner: "Come up a little." The commoner climbed for a while and slipped. The chief called again: "Come up a little. Come up until I can see you." The commoner then climbed until the chief could see him. Then the chief said: "From here to the sea is *Topekia* (name of the chief's head). I give it all to you." The chief then left and went to Hana Menu. His sons, who had been disowned, were very angry and went to see him, asking him why he had given the land away. The ex-chief said he had given it as *ka'oha* (gift) for the food the commoner had given him day after day. After that the poor man was chief, and the former chief's sons were commoners. A similar incident is said to have happened in Hana Menu.

[764] An incident in the legend of Ono furnishes evidence that the skullpit, which was the central feature of the *me'ae* of the chief, the depository of

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the skulls of his ancestors, represented his ownership of the land on which the *me'ae* stood. Ono has an argument with a chief on Moho Tani as to who has the prior right to the land. Finally Ono proves his claim to priority by demonstrating that he has a skull buried below those of the other chief in the local sacred place.

Just as the land itself was regarded as belonging to the chief, so that which lived or grew on it was his property. Garcia (14, p. 52) gives an example of a war precipitated, in times subsequent to European advent, by one chief's or tribe's stealing goats living on the land of another. The first share of the fruits of the land went to the chief. The breadfruit was partly for his own consumption and that of his family, guests, and retainers; but it was very largely also for storage in the great tribal *ma* pits as precaution against famine time, when the tribe was fed from these pits maintained by the chief. The first part of the catch of fish also went to the chief, and the rest he divided among the different classes that made up his tribe.

The feast places, the temples, the warriors' house, the sacred place of fishermen—indeed all the structures and sites that might be called public or civic—were definitely regarded as the private property of the chief. It has already been said that the feast-place, the warriors' house, and the temple, all of which were near, were with the private houses of the chief and his family actually a part of one establishment. These constituted, so to speak, a civic center for the tribe or community. Just as the public structures and sites belonged to the chief, so also did the canoes used in war and in fishing, and the nets used in fishing.

Temporary restrictions (kahui)

The *kahui*, or *ahui*, was a restriction or prohibition which owners had the right to put on produce of land in which they had vested interests. A chief, being regarded as owner of the tribal land as a whole, was able to lay such restriction on all the land or on particular crops when it was necessary. This was done before or in preparation for great festivals when much food was consumed, and after such festivals when the food supply had been exhausted. Thus, when necessary, the chief would place the *kahui* on fresh breadfruit, or on taro, or on coconuts, or on pigs, or on all of them if need be.

The *kahui* was announced by the chief's administrative tuhuna, and was enforced by them, and also by the fear of the evil consequences that would result from the infringement of a regulation which had received supernatural sanction because of some rite performed at the tribal temple. I was unable to obtain from informants any description of these rites.

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one of the chief articles of the diet of the people of this valley. 223

The tropic bird, hunted at night on high rock elevations, was caught by hand. The tail feathers, which were used for ornaments, were pulled out and the bird was allowed to go alive.

The roosting places of wild chickens were detected by their droppings. A man would go to such a place at night with a torch and catch the chickens by hand. Modern natives catch chickens by means of a snare or a noose—this is the usual native method of catching chickens and perhaps other birds today. A cord is attached to a post or tree and a large loop with a slip knot made. The loop is spread out on the ground, food being placed in the center. When the fowl has stepped into the loop, the unattached end of the cord is pulled, drawing in the loop so that the bird is caught by the leg.

CULTIVATION OF FOOD

Although in the Marquesas agriculture and horticulture were the means 24 by which a fairly dense population obtained its main food supply, yet these arts never advanced beyond a simple state of development. Digging sticks (*ko*) made of hard wood, used in preparing the soil for planting and in digging the pits for the breadfruit paste, were the only agricultural implements, with the exception of the nets used in harvesting breadfruit.

For the native the proper time for planting was at full moon (*mahina pi*), or when the tide was high (*ia pi te tai*) and it was believed that anything planted at such times would be strong and its fruits plentiful and large.

Upon the birth of a child it was customary for the father to plant for [423 it in the vicinity of the house or somewhere on the land alloted to the family, paper mulberry, breadfruit, coconut, and banana. These trees were thereafter regarded as the property of the person for whom they were planted. 846]

Early visitors describe enclosures for the paper mulberry, sugar cane, and so on, about the precincts of Nuku Hiva houses. Porter (24, p. 107) describes the appearance of plantations in Taipi valley as follows: "Villages were scattered here and there, the breadfruit and coconut trees flourished luxuriantly and in abundance; plantations laid out in good order, enclosed with stone walls, were in a high state of cultivation, and everything bespoke industry, abundance, and happiness."

PLANTS CULTIVATED

Marchand (22, p. 139) speaks of observing orderly banana plantations and it has been mentioned that a father would plant bananas for his child.

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of affairs has had considerable effect on the life of the people. In good seasons there was plenty of food; but one of these droughts, which might last as long as three years, used up all the stores of food and caused genuine starvation; sometimes it drove the natives to hunger cannibalism. A severe drought of this sort could cut the population by a third.

Agriculture was practiced under difficulties because of the steep slopes, very little of the land being level enough for irrigation by the crude native methods. The staple crops in other Polynesian countries, the taro and the yam, were of very little importance here. The Marquesans were dependent almost entirely upon the tree crops—breadfruit, cocoanuts, bananas—and on sugarcane. Another important crop was the paper mulberry, a domesticated tree with very long slender stems from which the natives made their clothing. These tree crops required no intensive cultivation. When a child was born, the father planted a breadfruit tree and a cocoanut tree for the new addition to the family. These trees would provide the child with food as long as he lived. All trees and gardens were individually owned and inherited. A certain right of eminent domain was invested in the chief, but he was hesitant to take a garden from even the lowliest native for fear of retaliation through magic.

In good years there were four breadfruit crops, the first of which was gathered communally. When the fruit was ready for gathering, the chief sent out messengers announcing the event; everyone turned out to gather the crop, which was cut up, fermented, and stored in great communal pits hidden outside the village so that they would not be discovered in case of an enemy raid. The pits were enormous; I have seen some as much as twenty feet across and twenty feet deep, cut into rocky soil. The pit was lined with leaves, and the breadfruit paste was wrapped in packages which preserved it so well that it never became too old for consumption. The entire yield of the first crop went into these large pits, which were opened only in time of famine. The second crop was similarly preserved, but was stored in the household pits. There were no rules governing

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245 the second harvest; each household put down as much as it
251 wanted. In good years the breadfruit harvest was more than enough for everyone, and in a run of good years the pits would be kept full. Considerable labor was necessary at the time of
[461] the harvest, but in the intervals there was little agricultural labor, and the men fished and amused themselves as best they could.

421 The concept of property was very strongly developed and all objects were individually owned. At the same time there was recognition of the paramount rights of the group, whether family or tribe. When the interest of the group was thus involved, one might not hold out property without committing offense.
[423] Land was administered by the chief for the benefit of the tribe, but trees and crops were individually owned. Until the crops were gathered in, each man retained his individual ownership, but as soon as the goods had been brought into the house, they belonged to the family and were prorated by the household head as needed. Although everyone was well aware of the ownership of every object, wealth was concentrated in the hands of family heads and eldest children, who became, theoretically, heads of the household from the moment they were born.

423 Agricultural property was vested not in land but in trees or gardens, which might be scattered all over the valley, a circumstance which caused considerable confusion when the French tried to take over certain land. The natives were ready to give
224 up the land but claimed the trees. Birds and a few wild pigs furnished the only game on the islands. The wild boars were ferocious beasts, and were hunted in a manner which was a test of sportsman's courage. The boar was driven down a mountain path on which the hunters would wait, knife in hand, to attack the animal as it charged.

231 Domesticated pigs, although not an important economic asset here, deserve special mention. Since a pig had to be fed on the same sort of food as human beings and in the same amount, keeping a pig was equivalent to adding another member to the family. A pig, therefore, was not simply a pig, but a pig

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467 one man had started. If the builder quit in the middle of a job, the employer would have to start all over from the beginning with another craftsman. A part of the *tuhunga's* training was 467 the learning of the chants that accompanied the creation of 788 any object. A food bowl made without the proper magic ritual would be just a bowl. It would have no real place in the universe and consequently no value. Thus a man brought in to finish an uncompleted job would be able to tell where the other builder had left off in the actual construction of the house or canoe, but he would not know what magic had been used or how far the ritual had gone, and therefore would be unable to proceed with the task.

The magic chants were in part a formula for the work, so that if a man knew the charm he could not forget the process, but the ritual was also part of an actual creation, beginning with the genealogy of the universe, building step by step, and finally calling upon the essences of the things to make their contribution to the art of creation, which was regarded as a sexual act. By the aid of these spiritual powers, the craftsman built the object into the universe.

The rank of *tuhunga* tended to be hereditary, since a father was likely to teach his craft to his son, but it could be attained by anyone with skill. However, one had to pay for the privilege of studying under a particular master in any one of the crafts, and of being approved and graduated by him.

467 The prestige attached to skill was present in all occupations 554 and at all social levels. Even the chief would be proud to be classed as a *tuhunga*. The chiefs regularly maintained carvers and other master craftsmen as members of their households, the fact that they were rich enough to do this contributing to their prestige.

Distribution

438 As to technique of distribution, everyone had free access to all materials within the tribal territory. There was no personal [423] ownership of fishing banks or hunting places. However, as certain things occurred only in certain territories, various tribes